

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PARAGON INSURANCE HOLDINGS, LLC,

Petitioner,

-against-

ALLIED WORLD INSURANCE COMPANY,

Respondent.

ANALISA TORRES, District Judge:

USDC SDNY
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DATE FILED: 12/16/2019

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ORDER

The Court having held an evidentiary hearing and oral argument on Paragon Insurance Holdings, LLC's ("Paragon") injunctive motion and motion for civil contempt, ECF Nos. 1, 21, and Allied World Insurance Company's ("Allied") motion to compel arbitration, ECF No. 65, it is hereby ORDERED, for the reasons stated on the record, that:

1. Paragon's motion for injunctive relief, ECF No. 1, is GRANTED. Allied is restrained from (1) invoking immediate termination pursuant to Article XIV(A)(1)(g) of the Program Management Agreement (the "Agreement"), ECF No. 8-1, and (2) taking ownership of the expirations as defined in Article XII of the Agreement. The injunction shall remain in effect until such time that the arbitration panel resolves the parties' dispute over whether Allied's termination pursuant to Article XIV(A)(1)(g) was proper and issues a decision regarding the ownership of the expirations.
2. Paragon's motion for civil contempt, ECF No. 21, is DENIED.
3. Allied's motion to compel arbitration, ECF No. 65, is GRANTED in part and DENIED in part. Aside from the foregoing injunction, the parties' disputes over termination and suspension of the Agreement are compelled to arbitration. The Court does not enjoin Allied from invoking termination under Article XIV(B) or suspension under Article XIII(C) of the Agreement.
4. The parties shall notify the Court of the decision of the arbitration panel within 24 hours of the panel's decision.

The Clerk of Court is directed to terminate the motions at ECF Nos. 21, 65, and 90.

SO ORDERED.

Dated: December 16, 2019
New York, New York



ANALISA TORRES
United States District Judge